



***Town of Tyngsborough
Planning Board***
25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext 115

Tyngsborough Planning Board Meeting Minutes February 15, 2007

Attachments: 1-Meeting Agenda

Approved

Members Present: Caryn DeCarteret, Chairman
Darryl Wickens, Vice Chairman
John Forti, Secretary

Members Absent: Steve Nocco, Treasurer
: Mark Pease, NMCOG Liaison
Joyce M. Harrington (Clerk)
Jesse Johnson (Consulting Engineer)

7:05 PM Temporary Independent Living Quarters 7 Cormier Avenue applicant
Roger Poulin

Motion: Vice Chairman D. Wickens made a motion to waive the reading of the legal notice that was printed in the Lowell Sun January 24th and 31st 2007 and the abutter's list.

Second: J. Forti
Motion Carries: 3-Yes, 2-Absent

Mr. Poulin is seeking a Special Permit for Temporary Independent Living Quarters for an existing attached garage for his son to live in. There will be no changes to the exterior of the existing structure. The plans meet all the requirements of the life safety codes for means of egress per a letter written by Deputy Fire Chief Sands. Chairman DeCarteret read a note from the Board of Health stating that there could be an issue with the septic system. The applicant will go to the BOH to discuss further. A letter in favor of the project from an abutter Carol McInerny was read. An abutter spoke in favor of the project as well.

Motion: To **approve** the T.I.L.Q. for 7 Cormier Avenue, applicant Roger Poulin **contingent upon approval of the existing septic system from Board of Health.**

The Board hereby finds that the Special Permit for the Temporary Independent Living Quarter for Roger Poulin:

1. Is in harmony with the purpose and intent of the By-Law
2. Will not be detrimental or injurious to the neighborhood in which it is to take place.
3. Is appropriate for the site in question
4. Complies with all applicable requirements of this By-Law.

The Board also imposes the following 7 conditions per **Section 4.15.40**

1. That the Special Permit becomes invalid upon the sale or transfer of the property.
2. That the primary dwelling be the principal residence of the property owner of record.
3. That the primary dwelling be the principal residence of the property owner of record.
4. That the temporary independent living quarters be assimilated, reincorporated or otherwise returned to its former residential use if vacant for a period exceeding six (6) months.

5. That the Special Permit become immediately null and void upon the advertisement, listing, or other actions of which the intent is to market or solicit the living quarters as a rental unit.
6. The deed restriction be recorded and a copy returned to the Planning Board.
7. Proof of Board of Health approval of existing septic system or Septic System upgrade be provided to Planning Board.

Second: J. Forti
Motion Carries: 3-Yes, 2-Absent

7:35 PM Preliminary Subdivision Plan 93 Lakeview Ave, St Mary Lane Presented by Pat Flaherty Surveyor & Civil Engineer

Mr. Flaherty presented plans for a 3 lot Preliminary Subdivision plan. The Board's Engineer Jesse Johnson was absent from this hearing and the Board requested his input. Mr. Flaherty will submit the plans to Mr. Johnson for his review. The Board made a motion to continue the hearing to March 1st @ 8:00PM.

Administrative 10 Bills

The Board signed the following bills:
David E. Ross and Associates
W.B. Mason

Motion: D. Wickens to adjourn at 8:45pm
Second: J. Forti
Motion Carries: 3-Yes, 2-Absent

Minutes taken and respectfully submitted by
Caryn DeCarteret, Chairman